

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED *for Rho*

AUG 16 2013

JULIA C. DUDLEY, CLERK  
BY: *HMcOmle*  
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JOHN MCKINNON,  
Plaintiff,

v.

RANDALL MATHENA, et al.,  
Defendant(s).

) Civil Action No. 7:13-cv-00301  
)  
)  
)

MEMORANDUM OPINION

) By: Jackson L. Kiser  
) Senior United States District Judge  
)

John McKinnon, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983 . By Order entered June 27, 2013, the court directed plaintiff to submit within 10 days from the date of the Order submit an inmate account form, and a certified copy of plaintiff's trust fund account statement for six-month period immediately preceding the filing of the complaint, obtained from the appropriate prison official of each prison at which plaintiff is or was confined during that six-month period. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice. Plaintiff filed a motion for extension of time to file the required documents on July 17, 2013 and the Court granted the motion for twenty days.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 16<sup>th</sup> day of August, 2013.

*Jackson L. Kiser*  
Senior United States District Judge